

1           **CHARLES B. GREENE**  
2           **ATTORNEY AT LAW**  
3           **84 W. SANTA CLARA STREET SUITE 770**  
4           **SAN JOSE, CALIFORNIA 95113**  
5           **(408) 279-3518**  
6           **STATE ID # 56275**  
7           **Attorney for Debtor**

8                           **UNITED STATES BANKRUPTCY COURT**  
9                           **NORTHERN DISTRICT OF CALIFORNIA**  
10                          **SAN JOSE DIVISION**

11	<b>In re</b>	)	<b>Case No. 09-56517 rle</b>
12		)	
13	<b>AMY STAVIS,</b>	)	<b>Chapter 13</b>
14		)	
15	<b>Debtor.</b>	)	<b>TRIAL BRIEF</b>
16		)	
17		)	
18		)	<b>Date: May 17, 2010</b>
19		)	<b>Time: 9:15 a.m.</b>
20		)	
21		)	<b>Judge Roger L. Efremsky</b>

22           The Court has before it the factual issue of determining the fair market value of the  
23 debtor's residence as of the date of the filing of the chapter 13 petition on August 7, 2009. There  
24 are no legal issues before the Court.

25           The debtor will present testimony and evidence that the fair market value of the residence  
26 at or about the time of the filing of the petition was \$775,000.00.

27           The debtor's Schedule D identifies two deeds of trust encumbered the residence on the  
28 petition dates.

- 29           a. First deed of trust to Chevy Chase Bank in the approximate amount of \$675,000.00.
- 30           b. Second deed of trust to Chase Home Equity in the approximate amount of  
31 \$186,045.00.

32           The debtor claimed a homestead exemption of \$75,000.00

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DATED: May 10, 2010

/s/ CHARLES B. GREENE  
CHARLES B. GREENE